

Districts, beg to advise that we have examined S. B. No. 49, and I am instructed to report the same back to the Senate with a recommendation that it do pass and be not printed.

C. T. RICHARDS, Chairman,
Judicial Districts Committee.

EIGHTH DAY.

Senate Chamber,
Austin, Texas,

Thursday, January 20, 1921.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Lynch Davidson.

The roll was called, a quorum being present, the following Senators answering to their names.

Bailey.	Lewis.
Baugh.	McMillin
Bledsoe.	Murphy.
Buchanan.	Page.
Carlock.	Parr.
Clark.	Richards.
Cousins.	Rogers.
Darwin.	Russell.
Davidson.	Suiter.
Dudley.	Watts.
Floyd.	Williams.
Hall.	Witt.
Harp.	Wood.
Hertzberg.	Woods.

Absent.

Fairchild.

Absent—Excused.

Dorough. McNealus.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Witt.

Bills and Resolutions.

By Senators Fairchild, Lewis, Hall, Clark, Richards, Witt:

S. B. No. 69, A bill to be entitled "An Act to establish and maintain a State School of Correspondence at Austin, Texas; to provide for all courses of study, by correspondence, that supply the needs of Texas people; to provide for appointment of an executive for same and prescribe their duties; to provide for the appointment of members of the

faculty, prescribe their duties and provide for the salaries of members of said faculty, and declaring an emergency."

Read first time and referred to Committee on Education.

By Senator Carlock:

S. B. No. 70, A bill to be entitled "An Act to provide for the nomination of candidates for judicial offices, viz.: District Judge, Judge of the Court of Civil Appeals, Judge of the Court of Criminal Appeals and Judge of the Supreme Court, by the different political parties in this State, by conventions under such rules and regulations as may be prescribed by the executive committees of said parties; repealing all laws in conflict herewith, and declaring an emergency."

Read the first time and referred to Committee on Civil Jurisprudence.

By Senator Hall, by request:

S. B. No. 71, A bill to be entitled "An Act to amend Section 20 and to repeal Section 27 of Chapter 63, Acts of the Thirty-third Legislature, passed at its Regular Session being, 'An Act to amend an Act passed by the Thirtieth Legislature of Texas, Chapter 98, to create a more efficient road system for Brazoria County, Texas, and making the county commissioners of said county ex-officio road commissioners; and providing for the working of the county convicts upon the public roads of said county, and providing a penalty for the escape of county convicts; and providing the amount of compensation in road time to be allowed by overseers to road hands for teams, and road work and providing for the condemnation of land for public road purposes; and providing for the working of delinquent poll tax payers on the public roads; and relieving road hands from the performance of road work by the payment of five dollars; and providing for the creation of road precincts in Brazoria County; and providing for the election of road commissioners to supervise the construction of macadamized, gravelled or paved roads, and providing for the apportionment of the available road fund among the various road precincts of said county, and providing for the making of this law cumulative of the general laws, and in case of a conflict this Act to govern

as to Brazoria County, Texas, and declaring an emergency,' and providing for the payment to the county commissioners \$2,250 while acting as county commissioners. The effect of the amendment being to provide a salary of \$2,250 in lieu of three dollars per day for the days services actually performed, as is now required by said section, and providing that the requirement of the money derived by taxation for the available road and bridge fund of said county may now be used outside of the precinct in which such taxes are levied and paid; the effect of the amendment being to remove the limitation provided in said section requiring that such available road and bridge fund be used exclusively on roads inside the precinct where said tax money has been raised, and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Witt:

S. B. No. 72, A bill to be entitled "An Act authorizing certain officers of the University of Texas to make certified copies of public records deposited in the Library of that institution and providing that said certified copies shall be lawful and have the same force and effect as if made by the county clerks of the counties from whence the same are transferred; and authorizing county commissioners and other custodians of public documents, in their discretion, to lend to the University of Texas those public records in their custody which are mainly of historical value, to enable that institution to make copies for historical study, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Witt:

S. B. No. 73, A bill to be entitled "An Enabling Act to put into effect the amendment to Section 3 of Article 7 of the Constitution of the State of Texas, in accordance with the will of the people as expressed by vote in the general election held on November 2, 1920."

Read first time and referred to Committee on Civil Jurisprudence.

By Senators Witt; Page, Buchanan:

S. B. No. 74, A bill to be entitled "An Act creating a tribunal to be known as the Court of Industrial Re-

lations, to be composed of the members of the Railroad Commission of Texas; prescribing the jurisdiction, powers, authority, functions and duties of said Court; declaring the operation of public utilities and common carriers to be affected with a public interest and subject to supervision by the State and providing for such supervision; providing what classes of business or of service shall be considered public utilities or common carriers within the meaning of the Act; providing penalties for its violation; making this Act cumulative of the Public Utilities Act and to be construed in harmony therewith; providing for the enforcement of the orders and decisions of the Court by injunction and otherwise, and making it the duty of the Attorney General to enforce same; expressing the legislative intent that any invalid or unconstitutional provision of the Act shall not invalidate any other provision thereof, and declaring an emergency."

Read first time and referred to the Committee on Civil Jurisprudence.

By Senator Hertzberg:

S. B. No. 75, A bill to be entitled "An Act to punish the making or use of materially false statements in writing respecting financial condition for the purpose of obtaining money, property, or credit when such money, property or credit amount to more than fifty dollars; whether such statements are made directly or indirectly; making such an offense a felony and prescribing the punishment therefor, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Woods:

S. B. No. 76, A bill to be entitled "An Act to amend Title 15, Chapter 1, of the Penal Code of the State of Texas, adopted in the year 1911, by adding thereto Article 1019a, defining the offense of negligent assault and battery, fixing a penalty therefor, and declaring an emergency."

Read the first time and referred to Committee on Criminal Jurisprudence.

By Senator Woods:

S. B. No. 77, A bill to be entitled "An Act to fix the status of checks of drafts, when the maker or drawer thereof shall have died between the date of the check or draft and its presentation for payment, and declaring an emergency."

Read first time and referred to Committee on Insurance and Banking.

By Senator Carlock:

S. B. No. 78, A bill to be entitled "An Act to amend Chapter 156, Section 1 of an Act of the Thirty-fourth Legislature, of the State of Texas, known as an Act authorizing and regulating certain classes of indemnity contracts, empowering corporations to make such contracts and fixing certain fees and the penalty for violation thereof to include within the provisions of such Act individuals, partnerships, associations and corporations doing business under a plan of operation known as Lloyds, and declaring an emergency."

Read the first time and referred to Committee on Insurance and Banking.

By Senator Dudley:

S. B. No. 79, A bill to be entitled "An Act to provide for the examination and certification of professional engineers and architects and to regulate the practice of engineering and architecture."

Read the first time and referred to Committee on State Affairs.

(Morning Call Concluded.)

House Resolutions—Referred to Committee.

The Chair had read and referred the following resolutions:

H. C. R. No. 4, relating to appointment of member of Cabinet by President-elect Harding.

Referred to Committee on Federal Relations.

H. C. R. No. 6, relating to betterment of cotton marketing of cotton.

The above two resolutions were referred to committees on motions made and adopted.

Simple Resolution No. 17.

By Senator Page:

Whereas, the Hon. J. R. Astin of Brazos County, a former member of this body, is now in the Capitol; therefore, be it

Resolved, that he be extended the privilege of the floor and be invited to address the Senate.

HARP,
PAGE.

The resolution was read and adopted.

The Chair appointed Senators Page, Harp, Darwin and Lewis as a committee to escort Mr. Astin to the President's stand, whereupon he was presented to the Senate and made a brief address.

Simple Resolution No. 18.

By Senator Clark:

Whereas, the rooms of the Lieutenant Governor of Texas have recently been removed to the southeast corner of the Capitol; and,

Whereas, said rooms have been properly fitted up except as to furnishings; now therefore, be it

Resolved, by the Senate of Texas, that the Lieutenant Governor shall appoint a committee of three Senators whose duty it shall be to properly and suitably furnish said rooms, the bills to be paid out of the contingent expense fund of the Senate.

The resolution was read and adopted, and the Chair, Lieutenant Governor Davidson, appointed Senators Clark, Page and Cousins as the committee provided for.

Senate Bill No. 53.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading, S. B. No. 53, A bill to be entitled "An Act to amend Chapter 49, Acts of the Thirty-second Legislature, Forty-fifth, Forty-seventh and Seventy-third Judicial Districts and constituting Bexar County; the Thirty-seventh, Forty-fifth, Fifty-seventh and Seventy-third Judicial Districts; providing for the present Judges of the Thirty-seventh, Forty-fifth, Fifty-seventh and Seventy-third Judicial Districts to continue to hold their offices for the respective terms for which they were elected; prescribing the jurisdiction of said Courts and providing for the election of Judges thereof, and for the District Attorney of the Thirty-seventh Judicial District, and the other District Courts of said district, and prescribing his duties; prescribing how cases shall be numbered and filed in the several Courts; providing the District Court of the Thirty-seventh Judicial District of Bexar County, Texas, and the District Court of the Forty-fifth Judicial Dis-

trict of Bexar County, Texas, to try criminal cases and give precedence to criminal business over civil business until the number of criminal cases in each Court is reduced to fifty cases, and requiring said Courts to give their entire time to trying of criminal cases until the number of criminal cases in each Court is reduced to fifty or less, and requiring each Court to alternately empanel a Grand Jury, and requiring the District Court of the Thirty-seventh Judicial District to transfer one-half of the cases on its docket to the District Court of the Forty-fifth Judicial District, leaving the oldest case in point of date of filing in the District Court of the Thirty-seventh Judicial District, and transferring the second case to the District Court of the Forty-fifth Judicial District, leaving the third case in the District Court of the Thirty-seventh Judicial District, and transferring the fourth case to the District Court of the Forty-fifth Judicial District, and thus in transferring each alternate case until one-half of the entire number in the District Court of Thirty-seventh Judicial District is transferred to the District Court of the Forty-fifth Judicial District, and providing that the terms of the said Courts be concurrent, that is, commencing and ending at the same time, and requiring that forfeited bond cases be tried by the District Courts of the Thirty-seventh Judicial District and the Forty-fifth Judicial District of Bexar County, Texas, that the District Clerk make up a docket for the criminal cases transferred to the Forty-fifth Judicial District, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

On motion of Senator Hertzberg the Senate rule requiring committee reports to lie over for one day (the bill being reported this date) was suspended for the purpose of considering this bill.

The committee report, providing that the bill be not printed, was adopted.

The bill, having been read, was read second time and passed to engrossment.

On motion of Senator Hertzberg, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 53 put on its third reading and final passage by the following vote:

Yeas—28.

Bailey.	Lewis.
Baugh.	McMillin
Bledsoe.	Murphy.
Buchanan.	Page.
Carlock.	Parr.
Clark.	Richards.
Cousins.	Rogers.
Darwin.	Russell.
Davidson.	Suiter.
Dudley.	Watts.
Floyd.	Williams.
Hall.	Witt.
Harp.	Wood.
Hertzberg.	Woods.

Absent.

Fairchild.

Absent—Excused.

Dorough.

McNealus.

The bill was read third time and passed finally by the following vote:

Yeas—28.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	Murphy.
Buchanan.	Page.
Carlock.	Parr.
Clark.	Richards.
Cousins.	Rogers.
Darwin.	Russell.
Davidson.	Suiter.
Dudley.	Watts.
Floyd.	Williams.
Hall.	Witt.
Harp.	Wood.
Hertzberg.	Woods.

Absent.

Fairchild.

Absent—Excused.

Dorough.

McNealus.

Senate Bill No. 49.

(By unanimous consent)

The Chair laid before the Senate on second reading,

S. B. No. 49, A bill to be entitled "An Act amending Chapter 48, Section 2, pages 90-91, of the laws passed at the Regular Session of the Thirty-fourth Legislature of the State of Texas by changing the time and terms of holding court in the Seventy-ninth Judicial District so

that Section 2 shall hereafter read as follows, and declaring an emergency."

The committee report, that the bill be not printed, was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 49 put on its third reading and final passage, by the following vote:

Yeas—28.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	Murphy.
Buchanan.	Page.
Carlock.	Parr.
Clark.	Richards.
Cousins.	Rogers.
Darwin.	Russell.
Davidson.	Suiter.
Dudley.	Watts.
Floyd.	Williams.
Hall.	Witt.
Harp.	Wood.
Hertzberg.	Woods.

Absent.

Fairchild.

Absent—Excused.

Dorough. McNealus.

The bill was read third time and passed finally, by the following vote:

Yeas—28.

Bailey.	Dudley.
Baugh.	Floyd.
Bledsoe.	Hall.
Buchanan.	Harp.
Carlock.	Hertzberg.
Clark.	Lewis.
Cousins.	McMillin.
Darwin.	Murphy.
Davidson.	Page.
Parr.	Watts.
Richards.	Williams.
Rogers.	Witt.
Russell.	Wood.
Suiter.	Woods.

Absent.

Fairchild.

Absent—Excused.

Dorough. McNealus.

Senate Bill No. 26.

Senator Dudley called up from the table, and the Chair laid before the Senate (the bill had already been read second time),

S. B. No. 26, A bill to be entitled "An Act for the relief of the ad valorem taxpayers owing taxes to the State of Texas and the several counties thereof for the year 1920, and to provide that all such taxes be paid in four quarterly installments instead of in one sum, prior to the first day of February, 1921; and further providing that if any quarterly installment be not promptly paid, then all such taxes so due for said year of 1920 and still unpaid shall immediately become due and delinquent, and that all laws and remedies now in force or effect in this State shall apply thereto; and further providing that the provisions of this Act shall not apply to other than property taxes, and declaring an emergency."

An amendment, by Senator Woods, was pending, and

Senator Woods, by unanimous consent, withdrew the pending amendment.

Senator Woods then offered the following amendment:

Amend Senate Bill No. 26 as follows:

Strike out all of Section 1 as set out in the bill and insert the following:

"Section 1. That as to ad valorem taxes due the State of Texas and the several counties thereof for the year 1920, all penalties provided in Article No. 7692 of the Revised Civil Statutes of 1911, of the State of Texas, because of non-payment thereof, shall be and they are hereby suspended and made inoperative until after the first day of July, A. D. 1921, the said penalties shall immediately attach and apply, as provided in said article, and be collectible as therein provided."

Strike out all of Section 2 of said bill and insert in lieu thereof the following:

"Section 2. That as to the ad valorem taxes due to the State of Texas and the several counties thereof for the year 1920, the provisions of Article 7692 of the Revised Civil Statutes of 1911, providing for seizure and sale of certain property for delinquent taxes for said year of

1920, and the making and preparation of lists of lands and town lots and the taxes thereon delinquent for the said year of 1920, and the publication of such lists, shall be and the same are hereby suspended and made inoperative until after the first day of October, A. D. 1921, when same shall again be in force and effect and applicable to the collection of such taxes. That the suspension of such provisions for the time herein provided shall not in any way waive or affect the liens provided by the Constitution and the statutes for the security of such taxes."

"Section 3. The provisions hereof shall be in force and effect and only in so far as the ad valorem taxes due to the State of Texas and the several counties thereof for the year 1920, are concerned and shall be of no further force or effect as to the penalties provided by law and the provisions for the collection of taxes on and after the dates set out in Sections 1 and 2 hereof, and otherwise than as specifically provided in this Act, all laws governing taxation and the collection of delinquent taxes shall be and continue in full force and effect.

Strike out all above the enacting clause and insert the following:

"A bill to be entitled 'An Act for the relief of the ad valorem tax payers of the State of Texas and the several counties thereof as to the ad valorem taxes due and payable for the year 1920, suspending until July 1st, 1921, the penalties provided by Article 7692 of the Revised Civil Statutes of 1911 and the enforced collection thereof until after October 1st, 1921, but that after said dates all the penalties and provisions of the said article and the statutes of the State shall immediately attach and become operative, as applicable to the taxation of property and the collection of delinquent taxes for all years, and that the provisions of this Act shall apply only to ad valorem taxes on property and its provisions shall be of no further force or effect after the dates set out therein, and declaring an emergency.'"

WOODS,
CARLOCK.

The amendment was read.

Senator Witt offered the following amendment to the amendment:

Amend Senate Bill No 26 by

adding after first paragraph of Section 2 the following:

"Provided that all taxes shall bear interest at the rate of 6 per cent per annum from and after January 31, 1921, until paid."

The amendment to the amendment was read and adopted.

Action then recurred on the amendment, as amended.

Pending discussion, Senator Rogers moved to re-commit the bill and pending amendment.

The Chair, Lieutenant Governor Davidson, ruled the motion to re-commit was not in order at this time.

(Senator Darwin in the Chair.)

Action recurred on the amendment, as amended, and the same was adopted by the following vote:

Yeas—19.

Baugh.	Hertzberg.
Buchanan.	Lewis.
Carlock.	McMillin.
Clark.	Murphy.
Cousins.	Suiter.
Davidson.	Williams.
Dudley.	Witt.
Floyd.	Wood.
Hall.	Woods.
Harp.	

Nays—1.

Rogers.

Present—Not Voting.

Bailey.	Parr.
Bledsoe.	Russell.
Page.	Watts.

Absent.

Fairchild.	Richards.
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Absent—Excused.

Darwin.	McNealus.
Dorough.	

(Lieutenant Governor Davidson in the Chair.)

Action here recurred on the question of adoption of the committee reports, there being a majority and a minority committee report.

Action recurred on the minority (unfavorable) committee report, and the same was lost by the following vote:

Yeas—13.

Buchanan.	Page.
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Clark.	Parr.
Darwin.	Rogers.
Davidson.	Russell.
Hertzberg.	Watts.
McMillin.	Wood.
Murphy.	

Nays—14

Bailey.	Hall.
Baugh.	Lewis.
Bledsoe.	Suiter.
Carlock.	Williams.
Cousins.	Witt.
Dudley.	Woods.
Floyd.	The Chair.

Absent.

Fairchild.	Richards.
Harp.	

Absent—Excused.

Dorough.	McNealus.
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The vote being a tie, Lieutenant Governor Davidson, presiding, voted "nay" and declared the motion lost.

Senator Rogers here renewed his motion to re-commit the bill to Committee on State Affairs, and the motion was adopted by the following vote:

Yeas—17.

Bailey.	Murphy.
Baugh.	Page.
Buchanan.	Parr.
Clark.	Rogers.
Darwin.	Russell.
Davidson.	Watts.
Floyd.	Witt.
Hertzberg.	Wood.
McMillin.	

Nays—9.

Bledsoe.	Dudley.
Carlock.	Hall.
Cousins.	Lewis.
Suiter.	Woods.
Williams.	

Absent.

Fairchild.	Richards.
Harp.	

Absent—Excused.

Dorough.	McNealus.
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Message from the House.

Hall of the House of Representatives,
Austin, Texas, Jan. 20, 1921.

Hon. Lynch Davidson, President of
the Senate.

Sir: I am directed by the House

to inform the Senate that the House has adopted

S. C. R. No. 2, Supporting the Attorney General in various legal proceedings resisting the provisions of the Federal Transportation Act of 1920, etc., with amendments.

The House has also adopted

H. C. R. No. 3, Relating to transportation of passengers and freight on railways.

H. C. R. No. 7, Inviting Hon. Henry Watterson to address the Legislature.

Respectfully submitted,

N. K. BROWN,

Chief Clerk House of Representatives.

House Concurrent Resolutions
Referred.

The Chair, Lieutenant Governor Davidson, referred, after its caption had been read, the following resolution:

H. C. R. No. 3, Relating to transportation of passengers and freight on railways.

Read and referred to Committee on Federal Relations.

House Concurrent Resolution No. 7.

The Chair laid before the Senate, H. C. R. No. 7, inviting Hon. Henry Watterson to address the Legislature.

The resolution was read and adopted.

Recess.

On motion of Senator Woods the Senate, at 11:50 o'clock a. m., recessed until 2:30 o'clock today.

Afternoon Session.

The Senate was called to order by Lieutenant Governor Davidson.

Simple Resolution No. 19.

By Senator Bailey:

Be it Resolved, That the President of the Senate be and is hereby authorized to appoint an additional

clerk for the mailing room at a salary of \$5.00 per day.

BAILEY,
PARR.
WITT.

The resolution was read and adopted.

As provided for in the above resolution the Chair, Lieutenant Governor Davidson, announced the appointment of Mrs. Pearl Key as assistant mailing clerk.

Executive Message.

The Chair here laid before the Senate the following executive message:

Governor's Office,
Austin, Texas, Jan. 20, 1921.
To the Members of the Senate and House of the Thirty-seventh Legislature:

"We are here." I am ready for my part of the work that brings us here. Under the Constitution and by the will of the people, we are yoke-fellows in law making. I realize full well that team work is necessary between the Governor's office and the Legislature. It is sincerely hoped that a fine spirit of co-operation will exist between these two departments.

Once more have the policies and the candidates of the Democratic party been honored with a vote of confidence at the polls. The party continues to control every department of the State government. This trust imposes solemn responsibilities.

Our first business at hand is to redeem the pledges made by us to the people. All party platforms should be carefully considered and faithfully followed. Sometimes it is charged that platform planks are exploited before the election, only to be forgotten after the election. We are under bonds to observe the spirit and carry out the demands of the platform on which we were elected. Therefore, I deem it not improper to transmit herewith for our mutual guidance and as a program of immediate legislation, a copy of the Texas Democratic Platform, unanimously adopted as our confession of political faith at Fort Worth, September 8, 1920, by the duly chosen delegates of the party in convention assembled. We have been commissioned to write every concrete proposal into law. Less than this we cannot do. Thus, and thus only, will

we keep faith with ourselves, with our party and with our people. For the first time, perhaps, in more than a quarter of a century, the platform was not dictated by the nominee for Governor. The nominee in the recent election declined to take any part in the drafting of the party platform. It was drawn by and represents the crystallized thought of the representatives fresh from the people.

The Constitution contemplates and your implied contract with the people is that the party platform shall be considered, and finally passed on at the Regular Session of the Legislature. The translation of its planks into law should have priority of other legislative matters. Within the next few days, and from time to time, just as quickly as other duties will permit. I shall submit to you for your consideration special and specific messages in regard to important legislation.

I covet an opportunity to make the personal acquaintance of every Senator and every member of the House. It is my desire that we confer freely touching all matters of interest to the people. I therefore most earnestly extend a cordial invitation to each of you to visit me at my office at any and all times. If on coming you will be kind enough to make your presence known to my private secretary, you will be gladly and immediately received, prior to other callers.

Trusting that I may have, from the very beginning of our legislative life, the friendship and co-operation of each of you, I am

Yours to serve,
PAT M. NEFF,
Governor.

Democratic State Platform.

The Democracy of Texas, in convention assembled, reaffirms its allegiance to the time-honored and fundamental principles of the Democratic party.

With a feeling of just pride in its splendid achievements, we endorse its administration of the affairs of the national government during the past eight years. Under the leadership of President Woodrow Wilson, this period presents a record of accomplishments unsurpassed, if equaled, in the history of the republic. The enactment of the Federal Reserve Act replaced, by a system which inspired confidence, a Republican fiscal policy

which bred panic and disorder. The establishment of the Federal Farm Loan Bank, through which the people are not only encouraged and assisted into patriotic purpose to acquire homes, is a notable achievement. Tariff revision upon the intelligent research of a non-partisan commission, a progressive policy in dealing with agricultural development, with highway construction, with reclamation of lands and the conservation of national resources, are illustrative of the splendid contributions of the National Democracy to the general welfare. The brilliant leadership which organized, equipped and successfully prosecuted the World War affords evidence of administrative capacity that will ever stand as a signal monument to the statesmanship and wise leadership and the Democratic organization.

We endorse and commend the able, progressive and statesman-like platform adopted by the National Democracy in its recent convention and each and every plank and the construction thereof, given by the Democratic Presidential nominee, Honorable James M. Cox, and congratulate the Democratic party in State and nation that it is provided with an instrument expressing constructive policies dealing with problems confronting the people in the approaching campaign.

We cordially endorse the nominees of the Democratic party for President, Honorable James M. Cox, and for Vice President, Honorable Franklin D. Roosevelt, recognizing in them men who will forward the highest standard of service to the nation through the Democratic party established by the great statesmen which the Democracy has given to the national service.

We endorse the action of the Texas delegation at the National Democratic Convention at San Francisco.

The Democratic party of Texas feels just pride in the marvelous development in the material wealth, in civic advancement, in educational development, and in special and humanitarian welfare witnessed under its intelligent and patriotic administration of the affairs of the State government. Throughout the history of Democratic control of the State government, its administration has been signalized by the consistent effort to secure for the people efficient and economical public service, and to provide for the furtherance of the public welfare through constructive policies. This record of

exceptional achievements in governmental administration is an earnest to the citizenship of the State of the future capacity and the determination of the Democratic administration to serve its people.

We endorse and commend the wise, patriotic and constructive administration of Governor W. P. Hobby, whose arduous duties as Chief Executive have been discharged with commendable integrity of purpose and ability.

We congratulate the citizenship of Texas and the womanhood of the State and nation upon the final ratification of the equal suffrage amendment to the Federal Constitution. The conclusion of the long struggle is none the less gratifying to the friends of justice and equality because of its long-delayed achievement. The patriotic women of the nation are by the consummation of this great ambition enabled to take their places as citizens in the solution of the serious problems of government, and it is with assured confidence that the Democracy of Texas looks forward to the high standard of obligation and political responsibility that will be expressed in their action as full citizens of the State and nation. We recommend to the Legislature such amendments to our election laws as will accord them fair representation.

We demand that the next Legislature submit to the people of Texas a constitutional amendment, providing none but American citizens, either native or fully naturalized, shall exercise the right of suffrage in this State.

The Democratic party again expresses its declaration that the establishment, maintenance and perfecting of a properly organized educational system is a duty of paramount importance to our citizenship, and we demand that the most efficient educational facilities and privileges be provided for the children of Texas.

We urge upon the Legislature adequate appropriations for the support of the common schools, and in particular for rural schools, supplementing the income from the available public school fund for all the institutions of higher learning, including the University of Texas, the Agricultural and Mechanical College of Texas, the College of Industrial Arts, and the several normal colleges, and for the educational work of the eleemosynary institutions. We endorse the adoption of the amendment to the Constitution to be voted on at the general election

in November, which will enable the citizens of any school district in the State to impose upon themselves taxes adequate to the purpose of their schools. To the end that the educational work of the State may be more thoroughly and constructively co-ordinated, and that judicious and adequate provision be made for the permanent support and development of our educational system in all its branches, we recommend to the Legislature that provision be made for such inquiry into the educational needs and the organization of the educational work of the State as may in its judgment be deemed essential.

The Democratic party points with confidence to the statutes enacted through its influence designed to protect the right and improve the conditions of life of the wage earner; and at this time renews its declaration that justice and fairness must ever be applied to the problem of labor and capital, as well as in all the other relations of life, and the controversies between them can never be settled by radicals on either side. We believe in the principles of collective bargaining, and believe that every person should be fully protected in all those rights to which the law entitles him. There can be no progress toward the just settlement of any question through violence. Obedience to the law is a principle that is sacred to all patriotic American citizens, and the law should be impartially enforced and order maintained under all circumstances.

We cordially indorse the expressions of the Democratic National platform upon the relations of labor and capital, and the responsibility of each to the protection of the public welfare in its statement that "Labor" as well as Capital, is entitled to adequate compensation. Each has the indefeasible right of organization, of collective bargaining, and of speaking through representatives of their own selection. Neither class, however, should at any time or in any circumstances take action that will put in jeopardy public welfare. The platform of the National Democratic party judiciously states the attitude of organized society toward these interests.

We urge upon the Thirty-seventh Legislature such amendments to the women's minimum wage law as will permit of its successful operation throughout the State in accordance

with the provisions and purposes of that Act.

We recommend to the Legislature the enactment of such additional legislation, either constitutional or statutory, as due inquiry may determine necessary to make more efficient, useful and satisfactorily operative the workmen's compensation law.

The Democratic voters of the State, having endorsed in the recent primary the proposed constitutional amendment to authorize action by the State in aiding industries and patriotic citizens to acquire homes, we recommend to the Legislature prompt action in effecting the purposes of such amendment. Texas contains large areas of fertile agricultural land awaiting development; the national government has declared it a proper governmental activity to render both encouragement and material aid to the citizens in the acquisition of homes and we recommend to the Legislature consideration of such measures as may be deemed judicious in supplementing the efforts of the national government to the end that homes may be made available to those desiring to acquire them. With our abundant area of undeveloped and cultivated agricultural land, the landless man and the manless land should be speedily brought together.

The establishment and operation of a system of taxation that shall be equitable and intelligently adapted to the needs of the government has ever presented one of the serious problems of organized society. Expressions of dissatisfaction with methods of taxation are popular. We are constrained to believe the system of taxation established by this State is capable of more satisfactorily meeting the requirements of the people if made operative in accord with its purposes and provisions of the law. Inequalities have crept into the administration, it is within the power of the Legislature under the constitutional authority to enact such provision as will correct them; and we would recommend that before legislative consideration is accorded new plans of taxation, that a painstaking inquiry be instituted into the adequacy and adaptability of the methods sanctioned by our Constitution and the policy of our statutes.

The increasing population in our cities and towns and the enfranchisement of our women has created a condition under which it is almost impossible at certain seasons of the year for tax collectors to provide for the col-

lection of taxes and the issuance of poll tax receipts at the one office maintained by these officials. We recommend to the Legislature inquiry into the authority of tax collectors to provide for the collection of taxes at sub-offices as a necessary convenience to people, and if legislation be necessary, that such statutes as required be enacted.

We believe the State government should maintain such departments and divisions as may be essential to answer in an efficient manner requirements of the public service, but do not favor the creation of departments where the service may be performed by existing agencies. We urge upon the Democratic Legislature the great importance of exercising the most rigid surveillance of the public service, to the end that unnecessary duplication in the service may be avoided, and that departments or agencies may be combined where practicable. We congratulate the State upon the material reduction in the tax rate for the current year, and pledge the Democracy of the State to every economy compatible with the efficient discharge of public service.

Always maintaining a progressively liberal policy in the establishment of eleemosynary institutions for the care of the dependents of the State, we congratulate the people upon the fact that Texas is today more adequately equipped to care for these wards of the State than ever before, and we commend to the Legislature adequate provision for the support of these institutions in the management and operation of which business methods should be inaugurated and maintained.

The intelligent administration of a properly administered Department of Agriculture may be of great advantage to the welfare of our agricultural interests. We recommend such reorganization of the Department of Agriculture of the State as will place under the administration of the Commissioner of Agriculture, through this Department, all these activities that are executive in character, or have to do with the enforcement of the statutes of the State; and that all agricultural work controlled by the State, which partakes of the nature of education be transferred to the Agricultural and Mechanical College of Texas.

The recurring conditions confront-

ing the producers of Texas in the marketing of products of the farm in which values are sacrificed emphasized the importance to the welfare of the State of the establishment and maintenance of an intelligent and capably directed Warehouse and Marketing System. The Legislature has from time to time enacted various statutes designed to afford facilities to the farmer for his protection against losses due to the fluctuations of market prices. We commend to the Legislature a further thorough inquiry into the needs of our agricultural citizens in the establishment and maintenance of a more efficient warehouse and marketing system.

The regular redistricting of the State into Congressional, Senatorial and Representative Districts, in conformity to the provisions of the Constitution, is essential to the maintenance of equal representation in the affairs of government and to the preservation of a feeling of just consideration among the people; and we demand of the Thirty-seventh Legislature the re-apportionment of the State as provided by the Constitution and laws of the State.

The reform of judicial procedure in Texas has long been demanded by the people. The cost of litigation should be made as low and the action of the courts as expeditious as possible, and we urge upon the Thirty-seventh Legislature a thorough consideration of the various plans through which such judicial reform may be hoped to be achieved.

We offer the heartiest encouragement to the building of factories and industries for the turning of our abundant raw products into the finished articles of manufacture and commerce. We invite capital from everywhere to engage in these enterprises and we especially urge our own citizenship through both individual and co-operative effort to enter this field, so full of promise and reward, and make of Texas the great industrial empire of the Southwest. Our Legislature is urged to promote these by wise and liberal legislation.

The home is the foundation stone of democracy. We, therefore, urge such legislation as may protect its influence in binding together the family by promoting home and com-

munity life and the establishment of neighborhood centers and recreations.

The Federal and State Governments have in recent years assumed larger responsibilities in the protection of human life by laws judiciously designed to secure improved sanitary conditions and protect public health, and recognizing in the department of health of this State an important, useful agency in the prosecution of this splendid work, we recommend to the Legislature such action in strengthening the plans and of support as may be necessary to maintain and consistently advance the proper activities of that department.

Increasing transportation charges emphasize the fast growing need for public highways and impress upon the people the constant realization of the imperative necessity for road construction of permanent character capable of contributing to the most expeditious and economical exchange and distribution of products of the farm and factory. In accord with the expression of the National Democracy, as embodied in the party platform, we endorse the present policy under which the Congress of the United States has been providing by appropriation funds for highway construction and the plan by which such funds are made available by allotment to the States to aid in the construction and development of connected systems of highways in the States of the Union. We commend the advance made in the development of a State system of public highways in Texas and urge the most vigorous prosecution practicable of the policy of the State Highway Department by the Federal Bureau of Roads to secure road construction of durable type and for the proper maintenance of all public roads.

The conservation and development of the natural resources of the State in the interest of all the people are public rights and duties, and the Legislature should pass such constructive laws as may be deemed necessary to the beneficial utilization of all such resources.

The enactment by Congress after long years of consideration of a law designed to make available the great water power resources of the West situated on public lands is universally recognized as legislation

of great potential value to the development of that great section, and points the way to Texas for making available to the people sources of wealth heretofore undeveloped. Water conserved and intelligently utilized in the manifold ways in which it may contribute to the general welfare is the great natural resource of the State, and we recommend that the Legislature enact all such laws as may be determined requisite to encourage and promote such development.

Signalizing in the assembling of this convention the conclusion of a contest within the party over policies of government administration and of leadership, we congratulate the Democracy of Texas and its citizenship upon the triumph of those policies which represent the preservation of party integrity and sane, conservative and constructively progressive methods of government. In this hour of renewing the pledge to the people of an enlightened, economical and progressive public service upon behalf of the Democratic organization of Texas, we appeal with the confidence born of a long and honorable record of Democratic success and achievement to a real united Democracy. The spirit of true Democracy is but an interpretation of the spirit of popular government which accepts the will of the majority and assumes its just share of the duties and responsibilities of the hour. Never before in the history of party organization in Texas has Democracy been confronted with greater opportunities for demonstrating wisdom under responsibility and statesmanship in the service of the people, and in rededicating the Texas Democracy under the leadership of Honorable Pat M. Neff to the solution of the great problem of government confronting our State at this time, we know we voice the will of a loyal, reunited and invincible Democracy undismayed by the attacks of ancient party antagonists, or by feudal efforts of discredited persons.

We affirm that the Democracy of service and achievement in Texas today is the Democracy of Jefferson, of Madison, of Monroe, of Jackson, of Cleveland and of Wilson, and of Coke, Regan and Hogg, and its allegiance in declaration and fidelity in practice to the great principles of

government promulgated in the teachings and exemplified in the public service of these founders and exponents of Democratic tenets may not be discredited by the onslaughts of irresponsible enemies of the party organization envious of the splendid record of Democratic capability and accomplishments.

Simple Resolution No. 20.

Whereas, Hon. F. M. Gibson, a former Senator of this State and a distinguished citizen of Texas, is in the city; therefore, be it

Resolved that he be invited to address the Senate and the privileges and courtesies of the Senate be extended him.

DARWIN,
BAILEY,
WOODS.

The resolution was read and adopted.

The Chair appointed Senators Darwin, Bailey, Woods and Baugh as a committee to escort Senator Gibson to the President's stand and after being introduced, addressed the Senate.

Executive Session.

Here the Chair announced that the hour had arrived for the Senate to resolve into executive session, and directed the chamber cleared of all not entitled to the privileges of the floor.

IN THE SENATE.

The following proceedings of the executive session were furnished the Journal Clerk for record:

To be Commissioner of Insurance and Banking, Hon. Ed. Hall of Bryan, Texas.

To be State Reclamation Engineer, Hon. A. A. Stiles of Austin, Texas.

To be State Health Officer, Dr. M. M. Carrick of Dallas, Texas.

To be Adjutant General of the State of Texas, T. D. Barton of Amarillo, Texas.

To be member of the State Fire Insurance Commission, Hon. George W. Tilley of Waco, Texas.

To be Secretary of State, Hon. S. L. Staples of Smithville, Texas.

Very respectfully,

W. V. HOWERTON,
Secretary of the Senate.

Adjournment.

On motion of Senator Page, the Senate, at 4:25 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX

Committee Reports.

Senate Chamber,
Austin, Texas, Jan. 20, 1921.

Hon. Lynch Davidson, President of the Senate.

Honorable Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 49 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

Senate Chamber,
Austin, Texas, Jan. 19, 1921.

Hon. Lynch Davidson, President of the Senate.

Honorable Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 7 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

Committee Room,
Austin, Texas, Jan. 19, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred S. B. No. 23, A bill to be entitled "An Act to prevent fraud in the sale and disposition of the stocks, bonds or other securities sold, or offered for sale, within the State of Texas, by any corporation, association, person, firm or partnership, company, broker, or agent, by requiring investigation, examination and licensing the sale of such securities and of the companies, brokers and agents making such sales and placing the administration of this Act in the hands of a Commission hereby created, to be known as the 'Texas Securities Commission' composed of the Attorney General, or his assistants, the State Treasurer, and the Commissioner of Banking and Insurance, together with an executive officer to be appointed by the Commission; prescribing the powers, duties and compensation of the Com-

mission; defining what shall constitute violations of this Act and fixing the penalties and punishment therefor; making appropriation for the purpose of the Commission; specifying that this law shall be known and cited as the "Blue Sky Law of Texas"; repealing all laws in conflict herewith and specially the Act of the First Called Session of the Thirty-third Legislature, Chapter 32 of the published laws of said session; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, Jan. 19, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: Your Committee on Judicial Districts, having had under consideration

S. B. No. 53, A bill to be entitled "An Act to amend Chapter 49 of the Acts of the Thirty-seventh Legislature, constituting the Thirty-seventh, Forty-fifth, Fifty-seventh and Seventy-third Judicial Districts of Bexar County."

Beg to report it back to the Senate with the recommendation that it do pass, and that it be not printed.

RICHARDS, Chairman.

Committee Room,

Austin, Texas, Jan. 19, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 65, A bill to be entitled "An Act to require the giving of an additional supersedeas bond in cases pending on appeal or writ of error in the Supreme Court or the Court of Civil Appeals, wherever, after the execution of the original bond, the same becomes insufficient by reason of the death or insolvency of the sureties on such bond, or from any other cause, and providing for the repeal of all laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

NINTH DAY

Senate Chamber,

Austin, Texas,

Friday, January 21, 1921.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Lynch Davidson.

The roll was called, a quorum being present, the following Senators answering to their names :

Bailey.	McMillin.
Baugh.	McNealus.
Bledsoe.	Murphy.
Buchanan.	Page.
Carlock.	Parr.
Cousins.	Rogers.
Darwin.	Russell.
Davidson.	Suiter.
Dudley.	Watts.
Floyd.	Williams.
Hall.	Witt.
Hertzberg.	Wood.
Lewis.	Woods.

Absent.

Clark.	Harp.
Fairchild.	Richards.

Absent—Excused.

Dorough.

Prayer by the chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

Invitation to Visit Denton.

The following was presented to the Senate by Senator Williams:

Denton, Texas, Jan. 20, 1921.

To the Honorable Lynch Davidson, Lieutenant Governor of Texas, and to the Members of the State Senate.

Gentlemen: The citizenship of Denton, Texas, hereby extends to the membership of the State Senate of the Thirty-seventh Legislature a most cordial and urgent invitation to join the Speaker of the House and the members of the House of Representatives of the Thirty-seventh Legislature to visit the city of Denton, Texas, including the College of Industrial Arts, the North Texas State Normal College and the State Experiment Farm and Station, on Saturday, January 29, 1921, as the guests of the people of Denton.

Should this invitation be accepted,